

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

AMERICAN UNIVERSITY OF ANTIGUA COLLEGE
OF MEDICINE, a foreign corporation,

Plaintiff,

v

United States District Court Judge
Patrick J. Duggan, presiding
Michael Hluchaniuk, referral
Case No.: 2:10-cv-10978

STEVEN L. WOODWARD,

Defendant.

Eric A. Buikema (P58379) CARDELLI, LANFEAR & BUIKEMA, P.C. Attorneys for Plaintiff 322 W. Lincoln Royal Oak, MI 48067 (248) 544-1100 ebuikema@cardellilaw.com	Steven Woodward c/o 7211 Brittwood Lane Flint, MI 48507 810-235-7267 Steve_L_woodward@yahoo.com
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------

PLAINTIFF'S RESPONSE TO DEFENDANT'S MOTION FOR COUNTERCLAIMS
(DOCKET NO. 193)

Plaintiff, American University of Antigua College of Medicine (“AUA”), respectfully requests that the Court deny Defendant’s Motion as untimely and futile. The Court should summarily deny this motion as it is filed nearly 2 years following defendant’s responsive pleadings. See e.g., Fed. R. Civ. P. 13(a). Similarly, Defendant’s claims are barred by the doctrine of res judicata. See e.g., *Westwood Chemical Co. v. Kulick*, 656 F.2d 1224, 1227 (6th Cir. 1981). Here, defendant previously brought claims against AUA in the Oakland County Circuit Court which summarily dismissed the same. Defendant sought appellate review of this dismissal and the Michigan Court of Appeals unanimously affirmed. Defendant did not seek

review of this opinion. See *Woodward v American University of Antigua, et al*, decided January 13, 2011 (Docket No. 292172). Plaintiff requests and order of costs associated with filing of this response and requests that the Court require Defendant post a security for costs should oral argument on this matter be required.

Respectfully Submitted,

/s/ Eric A. Buikema (P58379)
Eric A. Buikema (P58379)
Cardelli, Lanfear & Buikema, P.C.
322 West Lincoln Avenue
Royal Oak, Michigan 48067
(248) 544-1100
ebuikema@cardellilaw.com

Dated: January 2, 2012

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing Plaintiff's Response to Defendant's Motion for Counterclaims (Docket No. 193) and this Certificate of Service were served upon Steven L. Woodward, Defendant, via his email address Steve_L_woodward@yahoo.com and First Class U.S. mail to Steven Woodward, c/o 7211 Brittwood Lane, Flint, MI 48507 on January 2, 2012.

/s/ Eric A. Buikema
Eric A. Buikema (P58379)
Cardelli, Lanfear & Buikema, P.C.
322 West Lincoln Avenue
Royal Oak, Michigan 48067
(248) 544-1100
ebuikema@cardellilaw.com